

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
Plaintiff,) 8:21CR25
vs.) ORDER
TODD KOWAL and)
NZINGHA SIMMONS,)
Defendants.)

This matter is before the court on defendant Nzingha Simmons' Unopposed Motion to Continue Trial [43]. Counsel was just recently appointed to represent the defendant and needs additional time to review discovery. For good cause shown,

IT IS ORDERED that the Unopposed Motion to Continue Trial [43] is granted, as follows:

1. The jury trial, **for defendants, Todd Kowal and Nzingha Simmons**, now set for November 2, 2021, is continued to **February 1, 2022**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendants in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and February 1, 2022**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(6), (7)(A) & (B)(iv).
3. **No further continuances will be granted without a hearing before the undersigned magistrate judge.**

DATED: October 18, 2021.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge